

REMARKS

The application as filed was objected to in the Notice because it contains a data file on CD-ROM, however, the transmittal submitted upon filing does not list the necessary information pursuant to 37 C.F.R. § 1.52(e)(3). A statement listing the machine format, the operating system compatibility, a list of files contained on the compact disc including file name, file size in bytes, and date of creation, is submitted herewith. In addition, the specification at page 1 is amended to identify the disc and the files contained therein. This amendment does not add new matter to the application.

Also submitted herewith is a second copy of the sequence listing on CD-ROM. The CD-ROM contains the sequence listing as an ASCII text file named 39524Aseq.txt (673 bytes). I hereby state the contents of the CD-ROM submitted herewith is identical to the contents of the CD-ROM submitted upon filing.

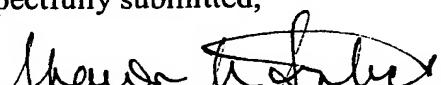
Submitted herewith is a combined Inventor's Declaration and Power of Attorney (see Appendix A).

The Notice states the statutory basic filing fee is missing. However, the fee transmittal submitted upon filing authorized the Commissioner to charge the deposit account for the basic filing fee of \$375.00. A copy of the fee transmittal is enclosed as Appendix B.

Our check in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(e) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees filed to our Deposit Account No. 13-2855, under Order No. 28335/39524A.

Dated: May 19, 2004

Respectfully submitted,

By 
Sharon M. Sintich
Registration No.: 48,484
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Attorney for Applicant